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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,
12
13 Plaintiff,

14 v.

15 HOMA SAMADI, EHSOON
16 KHOJAZADA,

17 Defendants.

)
) No. CR 09-0090 DLJ

)
) STIPULATION AND ORDER
) CONTINUING STATUS DATE;
) EXCLUSION OF TIME
)

18 **STIPULATION**

19 IT IS HEREBY STIPULATED, by and between the parties to this action, that the status date
20 for Homa Samadi and Ehson Khojazada, currently scheduled for Friday, September 18, 2009, at 9:00
21 a.m. before Honorable D. Lowell Jensen, may be continued to Friday, October 9, 2009 at 9:00 a.m.
22 for status. The reason for the continuance is that defense counsel is continuing with their
23 investigation and the parties are also discussing a disposition. Should the Court continue the status
24 date to October 9, 2009, it may allow counsel sufficient time to continue with the investigation and
25 for the parties to continue to discuss a disposition which would encompass both defendants. The
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1 parties stipulate that the time from September 22, 2009, to October 9, 2009 should be excluded in
2 accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv) for
3 adequate preparation of counsel so that counsel can continue investigation and the parties can
4 continue to discuss a disposition.

5 DATED: 9/17/09

6 /s/
JOYCE LEAVITT
7 Attorney for Homa Samadi

8 DATED: 9/17/09

9 /s/
HUGH ANTHONY LEVINE
10 Attorney for Ehson Khojizada

11 DATED: 9/17/09

12 /s/
DEBORAH DOUGLAS
13 Assistant United States Attorney

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15 I hereby attest that I have on file all holographed signatures for any signatures indicated by a
16 conformed signature (/s/) within this e-filed document.

ORDER

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the status date in this case, currently scheduled for Friday, September 18, 2009 before Honorable D. Lowell Jensen, is hereby continued to Friday, October 9, 2009, at 9:00 a.m. for status.

IT IS FURTHER ORDERED that the time from September 18, 2009 to October 9, 2009, is hereby excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv) for adequate preparation of counsel so that counsel can continue with the investigation in this matter and the parties can continue to discuss a potential disposition of this case. The Court finds that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy and public trial and the failure to grant the requested continuance would unreasonably deny counsel the reasonable time necessary for effective preparation, taking into account due diligence.

SO ORDERED.

DATED: September 21, 2009


HONORABLE D. LOWELL JENSEN
United States District Judge